

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

RACHEL BARNHART,
Plaintiff,
- against -

THE CITY OF ROCHESTER, a municipal entity,
“JOHN DOE POLICE OFFICERS 1-200” (names and
number of whom are unknown at present), TODD
BAXTER, “RICHARD ROE SHERRIFF’S
DEPUTIES 1-200” (names and number of whom are
unknown at present), and other unidentified members
of the Rochester Police Department and Monroe
County Sheriff’s Office,

Defendants.

NOTICE OF MOTION

Case no: 6:21-cv-06718

Defendant City of Rochester (“City”) moves this Court pursuant to FED. R. CIV. P. 12(b)(6) to dismiss the third, fourth, sixth, seventh, and eighth causes of action in Plaintiff’s complaint for failure to state a claim for relief.

In support of this motion, the Court is referred to the Declaration of Peachie L. Jones, Esq., with exhibits attached, and the Memorandum of Law, all submitted herewith and made part of this motion. The City reserves the right to file a reply memorandum of law within fourteen days of Plaintiff’s filing any opposition to this motion.

Date: December 16, 2021

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